# Los Angeles County Sheriff's Department

# Officer Involved Shooting



| | | |
|---|---|---|
| Report Date: 07/14/08 | Bureau/Station/Facility: Century Station | Admin. Invest.? ☐ Hit? ☐ |

## Incident Information

| | |
|---|---|
| URN: 008-15515-2170-151 | Date: 07/14/08 Time: 2010 |
| City or Station: Century Station | Nature of Incident: |
| Location: [redacted] 70th Street Los Angeles | |

| Location Type (circle one or more): | Lighting (circle only one): | Incident Type (circle one or more): | Initiated by (circle only one): |
|---|---|---|---|
| Backyard<br>Beach<br>Business<br>Freeway<br>Industrial<br>Park<br>Parking Lot<br>(Residence) [circled]<br>Rural<br>School<br>Street<br>Other: ______ | Darkness<br>Daylight<br>(Other) [circled]<br>Street Lights<br><br>Weather (circle only one):<br>(Clear) [circled]<br>Cloudy<br>Fog<br>Rain<br><br>Distance: | Accidental<br>Armed Person<br>(Fleeing Suspect) [circled]<br>Foot Pursuit<br>Gun Take Away<br>Moving Vehicle<br>Sniper/Ambush<br>Startle<br>Struggle Involved<br>Traffic Stop<br>Unarmed Person<br>Unintentional<br>Vehicle Pursuit<br>Warrant Service<br>Warning Shot<br>Other: ______ | Arrest Warrant<br>(Call) [circled]<br>Observation<br>One Person Unit<br>Other<br>Search Warrant<br>Two Person Unit<br><br>Prior Activity (circle only one):<br>Detective<br>Inmate Transport<br>Other<br>Routine Patrol<br><br>Aero Unit? ☐ Canine Unit? ☐ |
| Total # of Shots Fired by Deputy | Total # of Shots Fired by Suspect | | |

## Employee Witnesses

| Employee # | Last Name | First Name | M.I. | ShiftTime (circle only one): | ShiftType (circle only one): |
|---|---|---|---|---|---|
| [redacted] | Dowdy | Travis | | (EM) [circled] PM Day | (Regular) [circled] Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |

## Non-Employee Witnesses

| Last Name | City | First Name / Zip Code | Work Ph | M.I. / Home Ph |
|---|---|---|---|---|
| Last Name | | First Name | | M.I. |
| Street Address | City | Zip Code | Work Ph | Home Ph |
| Last Name | | First Name | | M.I. |
| Street Address | City | Zip Code | Work Ph | Home Ph |
| Last Name | | First Name | | M.I. |
| Street Address | City | Zip Code | Work Ph | Home Ph |

## Supervisors

| Employee # | Last Name | First Name | M.I | (circle one or more): |
|---|---|---|---|---|
| [redacted] | Lee | Eric | | (On Duty) [circled] Present during shooting Witness to shooting Involved in shooting |
| | | | | On Duty Present during shooting Witness to shooting Involved in shooting |

## Watch Sergeant

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Naranjo | Ruben | |

## Watch Commander

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Kevin | Hebert | |

| PSTD Use Only |
|---|
| SH # 2223922 |

Noted DWS 9/18/08

SH-R-438A rev. 3/07

See Reverse

# Officer Involved Shooting

URN: 008-15515-2170-151



## Rollout Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 07/14/08 | 2230 | | |

| Employee # | Last Name | First Name | M.I |
|---|---|---|---|
| [redacted] | Bly | David | |
| [redacted] | Flores | Carlos | |
| [redacted] | Slawson | Don | |

## Shooting / Force Information

### Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

### Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

### Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

### Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

### Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

## FORCE APPLIED *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| E-1 | S-1 | FH | BR | 9 | Y | Y | NN | |
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See Front Side

# Officer Involved Shooting
# Involved Employee Information

URN: 008-15515-2170-151



## Involved Employee

E 1

Employee # [redacted] | Last Name: Martinez | First Name: Edward | M.I.

Sex: M | Race: H | Rank: DEPUTY SHERIFF | Unit Assignment: Century Station | Work Assignment (Unit #, Module, etc.): 216F

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: [redacted] | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: 28 | Height: 604 | Weight: 250

Range Qualification Date: [redacted] | PPC Qualification Date: | Laser Training Date:

[redacted] ☒ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: Beretta | Caliber: 9 MM | # Shots: One | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # [redacted] | Last Name: Dowdy | First Name: Travis | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

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E

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

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E

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

# Officer Involved Shooting
# Suspect Information

URN: 008-15515-2170-151



## Suspect Information

S__

| | | | |
|---|---|---|---|
| Last Name: RAMIREZ | | First Name: Oscar | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: M Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted] |
| Work Phone: none | Home Phone: none | Social Security #: | Driver's License #: [redacted] |
| Age: 22 D.O.B. 06/10/86 | Height: 601 Weight: 180 | FBI #: [redacted] | CII #: [redacted] |
| Booking #: 1547861 | Primary Charge: 11370 H/S | Secondary Charge: 12021(A)(1) P.C. | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☒ | Substance Used: MARIJUANA |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☒ |
| Vehicle Make | | Model: | Year: |

S__

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

S__

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

S__

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

# SUPPLEMENTAL NON-EMPLOYEE WITNESSES
## Los Angeles County Sheriff's Department



**Non-Employee Witnesses**

| Last Name | First Name | M.I. | Street Address | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|---|---|
| [redacted] | [redacted] | | [redacted] | [redacted] | | [redacted] |
| [redacted] | [redacted] | | [redacted] | [redacted] | | [redacted] |
| [redacted] | [redacted] | | [redacted] | [redacted] | | [redacted] |
| [redacted] | [redacted] | | [redacted] | [redacted] | | [redacted] |
| [redacted] | [redacted] | | [redacted] | [redacted] | | none |
| [redacted] | [redacted] | | [redacted] | [redacted] | | [redacted] |
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# INVESTIGATIVE SUMMARY

**INVESTIGATIVE SUMMARY**
**DEPUTY INVOLVED NON-HIT SHOOTING**
**IAB CASE NUMBER SH2223922**
**URN #008-15515-2170-151**

Sergeants David Bly, Carlos Flores, and Lieutenant Don Slawson responded to the unincorporated area of Century Station to investigate a deputy-involved non-hit shooting. Investigators learned the following:

On July 14, 2008, at approximately 2003 hours, Deputies Martinez and Dowdy were working Century Station unit 216F PM Shift, when they received a radio call to respond to [redacted] East 70th Street in the county area of Los Angeles. The call stated there were several male Hispanics across the street from the informant's location smoking illegal drugs. Upon their arrival the two deputies saw two male Hispanics standing in front of [redacted] 70th Street.

As the deputies exited their vehicle to contact the individuals, the males separated and began walking away from each other. Suspect Oscar Ramirez walked west on 70th Street from the location to the driveway of [redacted] East 70th Street. Suspect Ramirez had his left hand in his pocket and his right hand was at his waistband. As he walked westbound, Deputy Martinez asked him to stop and speak with him. Suspect Ramirez ignored this request and turned into the driveway at [redacted] East 70th Street and walked south. Deputies Martinez and Dowdy followed Suspect Martinez down the driveway and Deputy Martinez ordered him to stop. Again, Suspect Ramirez ignored his order. When Suspect Ramirez was approximately half way down the driveway he began to run away from the deputies. As he did so he pulled his left hand from his pocket and the deputies saw him throw an object onto or over the roof of the bungalow. By this time, Suspect Ramirez had reached the corner of the rear bungalow. As he started to turn the corner at the rear of the building, Suspect Ramirez, again, quickly reached to his waistband area while crouching down and turning toward the deputies. Deputy Martinez, who was in the lead, believed Suspect Ramirez was trying to retrieve a weapon. Fearing for his life, he fired one round from his Department issued Beretta at Suspect Ramirez missing him. Suspect Ramirez then immediately proned himself on the ground and surrendered.

A search of the area for the object thrown was made. During that search a loaded Smith and Wesson 357 Caliber revolver was found in the rear yard of [redacted] East 70th Street.

**IAB Note: As the Deputies Martinez and Dowdy walked Suspect Ramirez back to their radio car they encountered the other male (Suspect Patino), who was walking back to the area of [redacted] E. 70th Street. Deputy Dowdy attempted to detain him, but he tried to elbow Deputy Dowdy in the face. To stop his aggression, Deputy Dowdy punched Suspect Patino on the face and performed a takedown maneuver. Suspect Patino was then taken into custody without further incident. This use of force was investigated by Century Station.**

**IAB Note: The summary of this incident is based on physical evidence collected at the scene by Los Angeles County Sheriff's Department Crime Lab personnel, IAB investors observations, as well as information obtained from the original crime report and supplemental reports along with interviews of the involved employees and witnesses. *(Refer to Exhibits A through D)***

## INVOLVED PERSONNEL

**MARTINEZ,** Edward, Deputy Sheriff, [redacted]
Field Operations Region II
Century Station

### Work History

| | |
|---|---|
| Date of Employment | 03/23/2005 |
| Date Assigned to Patrol | [redacted] |
| Date Completed Patrol Training | |
| Prior Shooting Incidents | |
| Prior Founded Force Incidents | |



## SUSPECT

**Ramirez**, Oscar, MH/33, DOB: 06/10/1986, Booking # 1547861

Suspect Ramirez' Consolidated Criminal history Report (CCHRS) showed he had been [redacted]

**IAB Note: See to Exhibit "A" for further information.**

## SWORN WITNESSES

**DOWDY,** Travis, Deputy, [redacted]
Field Operations Region II
Century Station

## CIVILIAN WITNESSES



[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

## SUSPECT INJURIES

None

## DEPUTY INJURIES

None

## PHYSICAL EVIDENCE

**The following items of evidence were collected from the shooting scene at [redacted] and [redacted] East 70th Street.**

Item 1 One 9MM shell casing recovered from the area consistent with where Deputy Martinez said he shot.

Item 2 Bullet fragments recovered from the fence line between [redacted] and [redacted] E. 70th Street.

Item 3 One Smith and Wesson 357 caliber revolver recovered in the rear yard of [redacted] E. 70th Street.

**IAB Note: See Exhibit "B" for Crime Scene Investigators reports, diagram, photographs, and one compact disk containing all photographs taken by Crime Scene Investigators.**

## INVESTIGATORS OBSERVATIONS

The physical evidence at the shooting incident, the position of Deputy Martinez's 9MM shell casing, where the Suspect's handgun was recovered, and where bullet fragments were found, appeared to be consistent with deputies', witnesses', and the suspect's versions of events.

A review of calls for service and radio dispatch tapes revealed the following:

2000 Hours: Century Station received a call for service stating males were smoking marijuana across the street from [redacted] E. 70th Street.

2009 hours: On L-Tac, Deputy Dowdy requested 216S and a Firestone unit to respond to [redacted] E. 70th Street.

**IAB Note: See Exhibit "D" for a compact disk containing recordings of the request for service and radio traffic.**

## WEAPONS USED BY DEPUTY PERSONNEL

**MARTINEZ,** Edward, Deputy Sheriff

**Service Weapon:** Department authorized/issued Beretta 9mm, Model 92F, semi-automatic pistol, serial number BER[redacted]

**Ammunition:** Luger, 9MM, one round fired with fifteen rounds left in weapon.

**Shell Casings:** A total of one expended shell casing was found at the shooting scene where Deputy Martinez reported shooting from.

**Date last qualified:** [redacted]

## WEAPONS USED BY SUSPECT MORENO

None

## PROPERTY DAMAGE

None

## CRIMINAL INVESTIGATOR/CHARGES FILED

### Suspect Ramirez

| | |
|---|---|
| Investigator: | Detective Dean Camarillo, OSS Century Station |
| Court: | VA106583 Southeast Division-T |
| Charges: | 11370.1(A) H/S, 12021(A)(1) P.C., 148(A)(1) P.C., and 186.22(D) P.C. |
| Court Date: | 09/23/08 Arraignment for Trial |

## LIGHTING AND WEATHER CONDITIONS

The incident occurred while it was still light out, during dusk hours. The weather was warm and clear.

## INVOLVED EMPLOYEE STATEMENTS

Martinez, Edward, Deputy Sheriff

Deputy Martinez said he was working a uniformed patrol car, unit 216F/EM, with his partner, Deputy Travis Dowdy. [redacted] Deputy Dowdy was the driver of the patrol vehicle and Deputy Martinez was the bookman.

Deputy Martinez said they were responding to a call of possible illegal drug activity. He said the informant stated males across the street from her were smoking illegal drugs. The informant resides at [redacted] E. 70th Street. He said they were driving eastbound on E. 70th Street when he saw two males standing in-between a black truck and red truck, both vehicles were parked in front of [redacted] E. 70th Street. The patrol car stopped in the street in front of the black truck and next to a red truck.

**IAB Note: See Exhibit "B" for a photograph of where Deputy Dowdy stopped the patrol car.**

Deputy Martinez said as he exited the patrol car he saw a male (Suspect Ramirez) walking westbound away from the black truck and him. He said he started talking to the suspect and recognized him from a prior contact a few weeks earlier and he also remembered the suspect was a trustee when he worked in custody. He said he saw the suspect had a startled look on his face. Deputy Martinez said to the suspect, "Hey

let me talk to you really quick?" Deputy Martinez said he did not have his weapon drawn. He said the suspect looked at him and continued to walk westbound. Deputy Martinez said the suspect had his right hand on his waistband and his left hand inside his pocket.

Deputy Martinez followed the suspect and said, "Hey can I talk to you?" The suspect ignored him and Deputy Martinez yelled, "Hey let me talk to you, do you live here?" He said the suspect's head shook back and forth, however, he did not know what question the suspect was responding to. Deputy Martinez heard Deputy Dowdy yell at the suspect, "Let me talk to you, come here, come talk to my partner."

Deputy Martinez said the suspect was still walking away and turned southbound on a driveway located at [redacted] E. 70th Street. He followed the suspect and he said Deputy Dowdy was behind him. He said he kept watching the suspect and did not turn to look at Deputy Dowdy, however, he could hear him behind him. Deputy Martinez said the driveway was long with four individual bungalows on the eastside of the driveway and a fence on the westside. He said he followed the suspect approximately half way down the driveway. He said the suspect still had his right hand in his waistband area and his left hand in his pocket. The suspect was walking in the middle of the driveway and Deputy Martinez said he was walking near the west fence line. He said the suspect started to run when he reached the beginning of the third bungalow. Deputy Martinez said he started running after him.

**IAB Note: See exhibit "C" for a diagram drawn by Deputy Martinez.**

Deputy Martinez said he followed the suspect, offset at an angle, because if the suspect turned eastbound at the end of the bungalows, he did not want to approach the corner or suspect in the blind. He said he wanted to keep visual contact of the suspect as he turned the corner at the end of the bungalow. He said as the suspect started to run the first few steps, the suspect took his left hand out of his pocket and flung an object into the air. Deputy Martinez said he did not know what the object was, but knew the suspect threw something and continued to run. He said it all happened quickly and "red flags" went off in his head. He decided he was more committed to detain the suspect based on everything he observed. He said the suspect continued to run toward the end of the bungalows.

**IAB Note: A search of the area for the object thrown was made. During that search a loaded Smith and Wesson 357 Caliber revolver was found in the rear yard of [redacted] East 70th Street.**

Deputy Martinez said, "At the end of the bungalows. As he turns the corner, he takes about two to three steps I believe, and he immediately just, he pivots, he pivots to his left and he just, he has his (right) hand in his waistband, he pivots down like he crouches down, pivots to his left and he's up like that on me." He continued and said, "He was like, it was like a, like a shooting stance to me. You know, that's what I, like a

combat shooting stance. Crouching down you know, like in a catcher type you know, but one leg is, his left leg was up a little bit further than his right leg. So it kind of looked like he was, I don't know how to explain it really. He was just crouched down and yeah, he went with his left and he came up on me."

Deputy Martinez said at this point he was "in fear for my life" and drew his weapon. He said, " As soon as I saw him, because I just had visual of him the whole time and as soon as I saw him like crouch down, which was a really, it was really sudden, as soon as I saw him crouch down you know, I immediately got out of the holster and I got my duty weapon out of the holster and I shot from the hip and thinking that he went, you know I perceived a threat. I thought he had something in his hand. I saw that he had already tossed something. So and I didn't know what it was. Just based on the fact that he crouches down, he lowers his you know, his stature you know. For whatever reason, that to me is a tactic and you know, if you're going to get in a fire fight you know, you're going to lower yourself down in order."

Deputy Martinez said he thought the suspect was going to shoot at him. The suspect was approximately eight to twelve feet away from him when he shot. He said the suspect approached the corner close to the bungalow and he approached the corner wide, close to the west fence line. He said he shot in a easterly direction. He said he was shooting from the hip and shot at the suspect with the backdrop of the garage in the rear of [redacted] E. 70th Street. He said there were no other persons in the rear yard of [redacted] or [redacted] E. 70th Street when he shot. Deputy Martinez said approximately five seconds passed from the time the suspect started running until he shot.

Deputy Martinez said after he shot, the suspect immediately fell to the ground. He said he thought his round hit the suspect. He holstered his weapon and approached the suspect. He took the suspect into custody, handcuffing him without further incident and discovered his round missed the suspect.

**IAB Note: It is approximately 120 feet from the beginning of the driveway to the end of the last bungalow. It is approximately 65 feet from the area Deputy Martinez said the suspect started running to where the suspect went to the ground.**

Deputy Martinez said as the suspect first started to walk down the driveway he told him to stop and talk to him. He said he could not see the suspect's hands and that concerned him. After Deputy Martinez reviewed his first report, he said he did order the suspect to stop and to show his hands.

In the approximate five seconds he started the foot pursuit until he shot, Deputy Martinez said he did not think about transmitting he was in foot pursuit nor he did hear Deputy Dowdy broadcast they were in foot pursuit.

**IAB Note: See Exhibit "A" for the first report authored by Deputy Martinez.**

**IAB Note: For further information, refer to Deputy Martinez's IAB verbatim transcript.**

## SWORN WITNESS STATEMENTS

**DOWDY,** Travis, Deputy Sheriff

Deputy Dowdy said he and his partner, Deputy Edward Martinez, were responding to a call of possible illegal drug activity. He said the informant stated males across the street from her were smoking illegal drugs. The informant resides at [redacted] E. 70th Street. He said they were driving eastbound on E. 70th Street when he saw two males standing in-between a black truck and red truck parked in front of [redacted] E. 70th Street. He said he stopped the parol car in the street in front of the black truck and next to a red truck. He said he saw the suspect and he had a startled look on his face. The suspect turned to his left and Deputy Dowdy said the suspect made an effort to hide his hands. He said the suspect was trying to avoid contact with them.

Deputy Dowdy said they exited the patrol car and they saw the suspect. He said, "We both got out of the car and walked over here so we could see him, because we lost sight of him for a second and just began to tell him, "Hey, come here. What are you doing? Stop, talk to us." and he just kept walking, looking over his shoulder, kept walking. Then he made a turn down [redacted] the driveway of [redacted] 70th Street. Same thing. I knew he could hear us, because he would look back, but he had one hand in his pocket and one hand just in front of him."

Deputy Dowdy said the suspect looked at him and continued to walk westbound, then southbound on the driveway at [redacted] E. 70th Street. He said he and Deputy Martinez were walking, following the suspect to see what he was doing. He said Deputy Martinez was approximately eight to ten feet in front of him (Dowdy). He said the suspect had a "gangster appearance." He heard Deputy Martinez ask the suspect if he lived in the area and saw the suspect shake his head back and forth. He said, "I know Martinez asked him if he lived there and he, when, as I'm talking to him he's going like this, which I thought he was shaking his head no. Either I'm not cooperating with you or he was responding to the do you live there question." He also heard Deputy Martinez order the suspect to "stop and show me your hands."

He said when the suspect was approximately 60 feet down the driveway, he saw him start to "sprint." Deputy Dowdy said after the suspect started sprinting, he could not see him because Deputy Martinez was blocking his view. However, he said he saw the suspect again when he started to turn east around the corner of the last bungalow. He and Deputy Martinez ran after the suspect. He said he did not see the suspect throw any objects at anytime.

Deputy Dowdy said Deputy Martinez started running wide, moving to the west side of the driveway. When Deputy Martinez ran wide, Deputy Dowdy said he saw the suspect start rounding the corner. Deputy Dowdy said, "He, it looked like he was just going to turn and keep running, but as soon as he went to make the turn, he just crouched down and turned like this, with this hand (right hand) down towards his waist area." He said the suspect then quickly turned his body to the left. At this point, Deputy Dowdy said he heard one gun shot. He looked at Deputy Martinez and saw he had his weapon in his hand. He said he did not see Deputy Martinez draw his weapon.

Deputy Dowdy said the suspect immediately laid on the ground and they approached him. He said they handcuffed the suspect without further incident.

Deputy Dowdy said he had drawn his weapon, but does not remember when, saying, "I usually, if I begin to run, I draw my weapon. I don't recall doing it, I just do it. I don't recall when I did it."

Deputy Dowdy said when the suspect first started to walk away from them he did not think about requesting backup. He said, "Oh no, no, no, not when he was walking, because people do that to us every day. We were, it's not as if we were trying to capture him. I was still seeing if he would respond to some verbal commands and there was still that chance that he might, because people do that just to walk in their house to get, I mean it's not because they're criminals. Some people just don't want to talk to police."

Deputy Dowdy further said regarding why he did not broadcast they were in foot pursuit, "Initially no, because it's twenty feet and that shock of him running you know, if it had went another twenty feet yeah, that would have, my first impulse is to see what's going on first, then get on the radio. No, my first is to make sure I've got my gun out and my partner's okay and then I mean maybe he would stop immediately, but if he would have rounded the corner, we would have backed off and got on the radio." He said they were in foot pursuit for only a "couple of seconds."

**IAB Note: For further information, refer to Exhibit "A" for a supplemental report authored by Deputy Dowdy.**

**IAB Note: For further information, refer to Deputy Dowdy's IAB verbatim transcript.**

**CIVILIAN STATEMENTS**


[redacted]

Mr. [redacted] said he saw deputies arrive in front of [redacted] 70th Street and a male (suspect) run from them. He saw the deputies follow the suspect down a driveway and he then heard the sound of, what he thought was, firecrackers. He then saw the deputies

walking the suspect back to the patrol car.


[redacted]

Ms. [redacted] said she was standing outside of her house when she saw the suspect running down a driveway across the street from her. She saw the deputies following the suspect and she heard one gun shot.


[redacted]

Mr. [redacted] said he saw two males running west toward Central Ave (NFD).


[redacted]

Mr. [redacted] said he standing on his porch and saw a patrol car driving eastbound on 70th Street and saw two males run from the red truck down the driveway of [redacted] 70th Street, which is across the street from his house. He saw the deputies make contact with a few remaining males at the truck. He saw those males travel down the same driveway with the deputies following them. He heard one gun shot and then saw the deputies walking back to the patrol car with the suspect.

**IAB Note: For further information, refer to Exhibit "A" for a supplemental report authored by Deputy R. Thomsen.**


[redacted]

Ms. [redacted] said she was inside her livingroom when she heard gunfire or fireworks. She exited her home and saw a deputy on the ground struggling with the suspect in the rear yard of [redacted] E. 70th Street.


[redacted]

Mr. [redacted] said he was watching television and heard what he thought was one gun shot (NFD).

**IAB Note: For further information, refer to Exhibit "A" for a supplemental report authored by Deputy Martinez.**

## SUSPECTS STATEMENTS

**Ramirez**, Oscar

Suspect Ramirez said he was on E. 70th Street visiting a girl when deputies saw him walking on the street by himself. He said the deputies were patrolling the street when they passed him, stopped the car in the street, and then put the vehicle in reverse. He said he must of looked like a suspect. He said "Deputy Martinez" exited the patrol car and said, "Hey." Suspect Ramirez looked back at Deputy Martinez. He said he smoked marijuana earlier and he became "panicky." He said he walked fast away from the deputies, then ran down the driveway to the rear of the apartments (bungalows at [redacted] E. 70th Street).

Suspect Ramirez said as he ran down the driveway, he reached into his pocket with his right hand to retrieved a baggie of marijuana. He said he threw the marijuana over the roof of one of the bungalows. As he reached the rear of the bungalows, he said Deputy Martinez said, "Freeze, don't run. Why are you running from me." Suspect Ramirez said he turned around and looked at Deputy Martinez. He said at that time Deputy Martinez shot one round at him.

Suspect Ramirez said he moved to the side and Deputy Martinez said, "Get against the wall or I'll kill you." He said he moved against the wall and Deputy Martinez handcuffed him. Later in the interview, Suspect Ramirez said after Deputy Martinez shot, he told him (Ramirez) to get on the ground. He said the "Senior" (Deputy Dowdy) arrived at the scene after just after he was handcuffed.

Suspect Ramirez denied being in front of [redacted] E. 70th Street and denied being with other males standing near a truck. He denied possessing or throwing a handgun when he was running from the deputies.